

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

24945-0026US

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/564185

INTERNATIONAL APPLICATION NO.

PCT/EP2004/006419

INTERNATIONAL FILING DATE

15 June 2004 (15.06.2004)

PRIORITY DATE CLAIMED

11 July 2003 (11.07.2003)

TITLE OF INVENTION

**BENZIMIDAZOLE DERIVATIVES AS RAF KINASE INHIBITORS**

APPLICANT(S) FOR DO/EO/US

**Hans-Peter BUCHSTALLER, Dirk FINSINGER, Matthias WIESNER, Lars BURGDORF,  
Christiane AMENDT, Matthias GRELL, Christian SIRRENERG, and Frank ZENKE**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ had been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20. below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Forms PCT/ISA/210 and PCT/RO/105

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.21) <b>10/564 185</b> <small>To be assigned</small>		INTERNATIONAL APPLICATION NO. <b>PCT/EP04/006419</b>		ATTORNEY'S DOCKET NUMBER <b>24945-0026US</b>	
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21. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input checked="" type="checkbox"/>	a) Basic national fee.....	\$300.00			
<input checked="" type="checkbox"/>	b) Examination fee .....	\$200.00			
<input checked="" type="checkbox"/>	c) Search fee.....	\$400.00			
<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 900.00</b>		
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE		
140-100 =	40/50 =	1	x \$250.00	<b>\$ 250.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	31- 20 =	11	x \$50.00	<b>\$ 550.00</b>	
Independent claims	1 - 3 =	0	x \$200.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+	<b>\$360.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1,700.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
<b>SUBTOTAL =</b>				<b>\$ 1,700.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1,700.00</b>	
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1,700.00</b>	
				<b>Amount to be refunded:</b>	\$
				<b>Amount to be charged:</b>	\$

  

a. ☒ A check in the amount of \$ 1,700.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.

A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment To Deposit Account No. 08-1641 A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**HELLER EHRMAN LLP**  
1717 Rhode Island Avenue, N.W.  
Washington, DC 20036  
Customer No. : 26633

SIGNATURE  
*Colin G. Sandercock* # 33,683

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NAME  
*Colin G. Sandercock*
Date  
January 11, 2006

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REGISTRATION NUMBER  
31,298